

September 8, 2009

Mr. Jose Saye
CUBELLIS
1800 Eller Drive, Suite 500
Ft. Lauderdale, FL 33316

RE: **CK PLAZA**
FES No. 08-0784.00
City DRC App. No. 34-08DB

Dear Jose:

This letter outlines a requested variance from Article III Flood Damage Protection, Section 8-76 Finished Floor Elevations in X Zones, (2) Non-residential construction, which requires "New construction or substantial improvement of any commercial, industrial, or other non-residential structure shall either have the lowest floor, including basement, elevated to a minimum of six inches above the highest point of the crown of all streets adjacent to the plot upon which such building is located or, together with attendant utility and sanitary facilities, be flood proofed so that below the base flood level the structure is watertight with wall substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied."


In accordance with the conditions for variances outlined in the code, below are brief explanations / justifications which demonstrate that we meet these conditions:

- a. *Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief – This variance request is the minimum necessary.*
- b. *Variances shall only be issued upon a:*
 1. *Showing good and sufficient cause – This variance is needed because the adjacent road of Hallandale Beach Boulevard is an evacuation route which is set at a higher elevation and because the portion in front of this site has a nearly 3' grade differential which requires the entire site to be set based on 6" above the road crown the high end of the site (11.72) which would require a minimum finished floor elevation of 12.22' is not representative of the surrounding flood plain.*
 2. *Determination that failure to grant the variance would result in exceptional hardship – Failure to grant this variance would require either needless waterproofing of the buildings on this site or the need to raise the grade of the site which in turn creates a loss of site storage. The required finished floor without the variance is 12.22' which is 3.3' higher than the road crown at the lower end of the site (8.92') and 3.8' higher than the road crown of the other adjacent road, NW 1st Avenue (8.40').*
 3. *Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense; create nuisances; cause fraud on or victimization of public; or conflict with existing local laws or ordinances – This site is required to meet SFWMD and BCEPD storm water management rules regardless of whether this variance is granted. The preliminary drainage calculations submitted demonstrate that the site complies with the 25 year – 3day pre vs. post criteria which means that there is no net encroachment into the flood plain as a result of the development of this project.*

If you have any questions or require any additional information, please call.

Sincerely,

FLYNN ENGINEERING SERVICES, P.A.


Dennis Shultz, P.E.
Project Engineer

241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308

PHONE: (954) 522-1004
FAX: (954) 522-7630

C:\Documents and Settings\dennis\Local Settings\Temporary Internet Files\OLKF3\FFE Variance Request.doc

Page 1